

Serial No.: 09/843,170

Attorney's Docket No.:10559/366001/P10172

REMARKS

Claims 1-22 are pending, with claims 1, 10, 14, 17 and 20 being independent. Reconsideration and allowance of the above-referenced application are respectfully requested.

To further supplement the Supplemental Reply filed September 8, 2005, attached is an email from Janice Boulden of Intel and a redacted portion of the committee minutes for the meeting at which the decision was made to file the above-referenced patent application.

The email from Janice Boulden clearly describes the regular practice of Intel, with respect to review and approval of invention disclosures, at the time of the present invention. Furthermore, this email shows that the time taken in deciding to file the present application was entirely reasonable and typical for the general operations of the company at that time. In addition, the redacted portion of the committee minutes provides corroborating evidence for the email and shows that the invention claimed in the present application was approved for filing during the September 2000 Network Communications IP Committee meeting, which took place on the regularly scheduled day of September 6, 2000, and also on September 15, 2000.

This evidence, in addition to that provided previously, establishes possession of the claimed subject matter prior to the filing date of U.S. Publication No. 2003/0069848 (Larson)

Serial No.: 09/843,170

Attorney's Docket No.:10559/366001/P10172

from the U.S. Application No. 09/828,702, and prior to the filing of U.S. Publication No. 2002/0067742 (Or) from the U.S. Application No. 09/729,234, and prior to the earliest priority date of U.S. Publication No. 2002/0059457 (Ballard) from the U.S. Application No. 09/899,648. The submitted evidence provides a prima facie showing that, the subject matter in claims 1-22 was conceived prior to, and diligence commenced prior to July 6, 2000, the earliest priority date of the cited U.S. Publications 2003/0069848 (Larson), 2002/0067742 (Or), and 2002/0059457 (Ballard), and that diligence continued until the invention was constructively reduced to practice on April 26, 2001.

Based on the above, we respectfully submit that the cited U.S. Publications 2003/0069848 (Larson), 2002/0067742 (Or), and 2002/0059457 (Ballard) are no longer effective references under 35 USC 102(e) or 103(a). Therefore, the rejections based on the cited U.S. Publications 2003/0069848 (Larson), 2002/0067742 (Or), and 2002/0059457 (Ballard) should be withdrawn. Accordingly, claims 1-22 under consideration are patentable and are now in full condition for allowance.

In view of the submissions and remarks presented, all of the claims should be in condition for allowance. A formal notice of allowance is thus respectfully requested.

Serial No.: 09/843,170


Attorney's Docket No.: 10559/366001/P10172

Please apply any necessary charges or credits to Deposit

Account No. 06-1050.

Respectfully submitted,

Date: September 20, 2005



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William Hunter

From: Boulden, Janice [janice.boulden@intel.com]
Sent: Tuesday, September 20, 2005 2:14 PM
To: William Hunter
Subject: Disclosure 14912

Unfortunately I don't have the entire IP committee schedule for 2000, however, I do have a copy of the committee minutes where this disclosure was approved which I can fax to you.

This disclosure was reviewed by the Network Communications IP Committee meeting on September 6th (with a continuation meeting held on September 15th). It missed the cutoff for reviewed at the meeting this committee held on June 28th because our deadlines for submitting disclosures before each committee meeting is 3 weeks before the meeting date. Anything received after that date has to wait until the next meeting.

The dates this committee met in 2000 were:

February 9th
April 26th
June 28th
September 6th
November 15th

So you can see that it was not out of the ordinary for this disclosure to be received in June but not approved for filing until September.

I'll go ahead and fax you the minutes from the meeting.

JB

002

INTEL CONFIDENTIAL

Internal Correspondence

DATE: September 6, 2000

cc: Carl Silverman
Mike Crick
Peter Lam
Mike Willardson*

List: (* attendees) (*sent written inputs)

Charles Dice*	UT1	Barry O'Mahony*	JF3-206	Byron Gillespie	CH6-239
Richard Calderwood**	CO3-119	Peter Nee*	JF3-375	Keith Larsen	JP3-145
David Putzolu*	JF3-206	Hach Q. Nguyen	SN1-02	Steve Stewart*	JP3-147
Charles Young	SC4-202	Raj Yavathkar	JF3-206	Seth Kalson*	SC4-202
John Cyr*	HD2-141	Simoni Ben-Michael	JER5-3 rd floor	Bob Grow*	SN1-01
Gary Solomon	HD2-101	Emmez Tsui	CHP3-105	Ahmed Said*	CHP3-105
Deif Atallah*	CH6-332	Scott A. Goble*	CH6-332	Lars Boyce*	IDK
Greg Kisor	JF3-147	Dan Ray	LOC4-12	Ed Brake*	WDC
Cary Jardin	EC1-102	Rich Ireland*	SL1	Kell Michael Jensen	IDK
Hiroshi Takatori*	LOC3	Luis Stevens	SC9-101mv	Jim Finnegan	FR2
Greg Caldwell*	BSTZ	Howard Skalist*	JF3-147	Paul Nagy*	

The next Network Communications IP Committee meeting is scheduled for:

Wednesday, November 15, 2000
8:30 – 11:00 a.m. (OR/CA time)
Conference Room: JF3-TBD
Bridge Number: (916) 356-9200
Reservation # TBD
Passcode # TBD

All IDT's must be submitted on or before 10/26/00 to be included in the next meeting.

1. The Network Communications IP Committee met on Wednesday, September 6, 2000 and on Friday, September 15, 2000.
2. Categories for evaluation of disclosures were utilized in making filing recommendations on the following 123 invention disclosures. Fifty-nine out of 123 disclosures were selected for filing (48%) (51 actual applications after combining disclosures). There were 15 disclosures put on hold with A/R's assigned to get more information and 3 disclosures were recommended for defensive publication (2%). Two disclosures were recommended to be kept trade secret. Two disclosures were referred to the Memory Committee; 8 disclosures to the TMG/Thermomechanical Committee; two disclosures to the Circuits Committee; 1 disclosure to the Software/Internet Committee; and 1 disclosure to the Platforms Committee.

Disc. -No.	Title	Inventor (S)	Status/Comments A/R's

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2